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**NEWS RELEASE**

**Photo attached**

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## **Ninth Circuit Court of Appeals Mourns Passing of Judge Otto R. Skopil Jr.**

SAN FRANCISCO – The Honorable Otto R. Skopil Jr., a distinguished senior judge of the United States Court of Appeals for the Ninth Circuit, died peacefully Thursday night, October 18, at his home in Portland with family members at his bedside. He was 93.

“Judge Skopil served the federal courts for 40 years. He will be remembered not only as a distinguished jurist, well respected by his colleagues and the bar, but as someone who played an important role in shaping the administration of justice in the federal courts,” said Ninth Circuit Chief Judge Alex Kozinski.

Judge Skopil came onto the federal bench in 1972 after being nominated by President Nixon to serve on the U.S. District Court for the District of Oregon. He served as chief judge of the district from 1976 to 1979, when President Carter nominated him to the Court of Appeals. It was a matter of some pride to Judge Skopil that he had been nominated by presidents from both political parties. He served as an active judge until 1986, when he assumed senior status. He continued to serve the court for many more years, deciding cases submitted on the briefs as recently as 2011.

Judge Skopil participated in thousands of cases and authored hundreds of decisions. A number of his opinions dealt with the sovereign rights of local Native American tribes. Notable among those are Quileute Indian Tribe v. Babbitt, 18 F.3d 1456 (9th Cir. 1994), involving tribal sovereign immunity; United States v. Aam, 887 F.2d 190 (9th Cir. 1989), tribal ownership rights in tidelands; Queets Band of Indians v. Washington, 765 F.2d 1399 (9th Cir. 1985), tribal vehicle registration authority; Pyramid Lake Paiute Tribe of Indians v. Truckee-Carson Irrigation Dist., 649 F.2d 1286 (9th Cir. 1981), tribal water rights; and Sekaquaptewa v. MacDonald, 619 F.2d 801 (9th Cir. 1980), tribal land boundaries.

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His other important decisions included United States v. Morales, 898 F.2d 99 (9th Cir. 1990), regarding judicial review of criminal sentences; Campbell v. Kincheloe, 829 F.2d 1453 (9th Cir. 1987), involving the constitutionality of a state's death penalty statute; Ashelman v. Pope, 793 F.2d 1072 (9th Cir. 1986) (en banc), dealing with the scope of immunity for judges and prosecutors; Palila v. Hawaii, 639 F.2d 495 (9th Cir.1981), involving unlawful "taking" under the Endangered Species Act; and Kerr v. Screen Extras Guild, Inc., 526 F.2d 67 (9th Cir. 1975), addressing factors justifying an award of attorney's fees.

While serving on both the district and appellate courts, Judge Skopil worked hard to broaden the role of magistrate judges in the administration of justice. Appointed by Chief Justice Warren Burger, he served as chair of the National Magistrates Committee. He is widely regarded as being the driving force behind the Federal Magistrates Act, having helped formulate the legislation and testified before Congress on its behalf. The law expanded the authority of magistrate judges to conduct civil trials with the consent of the parties and misdemeanor trials if the defendant waived his right to a trial before a district judge. It also created merit selection panels to assist courts in the appointment of magistrate judges.

In 1990, Chief Justice William Rehnquist appointed Judge Skopil to chair the Long Range Planning Committee, which undertook a comprehensive study of the judiciary. The Committee made recommendations in a report adopted by the Judicial Conference of the United States in 1995.

Judge Skopil was admired by his colleagues, some of whom offered these remarks:

"I rank him as one of the superstars of the legal profession. He had enormous leadership skills. I just have enormous admiration for the way he conducted himself as a lawyer and as a judge. He was professional in every way." – Senior Circuit Judge Edward Leavy of Portland.

"Judge Skopil was the epitome of the ideal judge from the timbre of his voice to his physical stature and great intellect. He was my mentor after arriving on the court and the warmest and friendliest colleague any judge on this court could have. I will miss him greatly." – Circuit Judge Diarmuid F. O'Scannlain of Portland.

"Judge Skopil and I had our confirmation hearings together and he was a trusted friend for decades. He was kind to everyone and especially supportive of magistrate judges. He will be dearly missed by his lovely family and by his colleagues." – Senior Circuit Judge Mary M. Schroeder of Phoenix

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A Portland native, Judge Skopil attended Willamette University on an athletic scholarship, earning his B.A. in 1941. He enrolled in the Willamette University College of Law but dropped out to join the Navy at the outset of World War II. He served as a as a Supply Corps officer in Guadalcanal and Washington,.D.C., before leaving the service in 1945. Returning to law school, he received his L.L.B. in 1946 and began his legal career as a solo practitioner. He and a childhood friend later went into partnership together and he continued to practice in Salem, Oregon, until his judicial appointment.

During his 26 years in private practice, Judge Skopil tried cases before every level of the state and federal courts, including an argument in the Supreme Court of the United States. He was elected to the Board of Governors of the Oregon State Bar and was often called upon to speak at the continuing legal education program of the Oregon Bar on condemnation procedures and the Federal Rules of Civil Procedure. He also chaired the Marion County Unethical Conduct Committee.

Judge Skopil is survived by his loving wife of 56 years, Janet; four devoted children, Otto (Rik) and his wife Pam, Casey and his wife Wendy, Shannon Bronson and her husband Barry, and Molly Wolfe; five grandchildren; one great-grandchild; and sister-in-law Janet and her family.

Funeral arrangements are pending.

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